

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 4/1/03.

I. DISPUTE

Whether there should be additional reimbursement for 99070, E0745, 95900, 95904, 95935, 95860, 99213, E1399, 99215, 97530, 97112, 97265, 97750, 99455 and 97112 from 10/9/02 through 2/10/03.

II. RATIONALE

Rule 133.307 (g)(3) states,

(3) If the request contains only medical fee disputes, the commission shall notify the parties and require the requestor to send to the commission, two copies of additional documentation relevant to the fee dispute. The additional documentation shall include:

(B) a copy of any pertinent medical records or other documents relevant to the fee dispute...

(F) The additional documentation shall be received by the division within 14 days of the requestor's receipt of notice pursuant to this rule..."

The notice requesting additional documentation was forwarded to both parties on 4/8/03. The Commission did not receive medical documentation from the requestor until 4/26/04. The requestor was given the opportunity to submit additional information, including medical documentation for each date of service, to verify delivery of service. The requestor failed to do so in a timely manner. Therefore, reimbursement is not recommended.

III. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for 99070, E0745, 95900, 95904, 95935, 95860, 99213, E1399, 99215, 97530, 97112, 97265, 97750, 99455 and 97112.

The above Findings and Decision are hereby issued this 27th day of April 2004.

Noel L. Beavers
Medical Dispute Resolution Officer
Medical Review Division